

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) or Patentee(s): HADLACZKY, Gyula and SZALAY, Aladar

Serial No. or Patent No.: 08/629,822

Filed or Issued: April 10, 1996

For: ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING
ARTIFICIAL CHROMOSOMES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: LOMA LINDA UNIVERSITY; CENTER FOR
MOLECULAR BIOLOGY & GENE THERAPY
ADDRESS OF ORGANIZATION: MORTENSEN HALL, LOMA LINDA UNIVERSITY
LOMA LINDA, CALIFORNIA 92350

TYPE OF ORGANIZATION

- ☒ University or other Institution of Higher Education
☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3))
☐ Nonprofit Scientific or Educational under Statute of State of the United States of America (Name of State _____) (Citation of Statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§501(a) and 501(c) (3)) if located in the United States of America
☐ Would qualify as nonprofit Scientific or Educational under Statute of State of the United States of America if located in the United States of America (Name of State _____) (Citation of Statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING ARTIFICIAL CHROMOSOMES

by inventor(s) Gyula Hadlaczky and Aladar Szalay described in

- ☐ the specification filed herewith
☒ application Serial No. 08/629,822, filed April 10, 1996
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below" and no rights to the invention are

held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. §1.27).

Full Name AMERICAN GENE THERAPY INC.

Address 5022 154th Street, Edmonton, Canada T6H5P3 920350

() Individual (X) Small Business Concern () Nonprofit Organization

Full Name THE BIOLOGICAL RESEARCH CENTER OF THE HUNGARIAN ACADEMY OF SCIENCES

Address H-6701 SZEGED, P.O.B. 521, HUNGARY

() Individual () Small Business Concern (X) Nonprofit Organization

Full Name CHROMOS MOLECULAR SYSTEMS, INC.

Address 1055 West Hastings, Suite 2020, Vancouver, BC V6E2E9

() Individual (X) Small Business Concern () Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

B. Lyn Behrens

TITLE IN ORGANIZATION

Loma Linda University

ADDRESS OF PERSON SIGNING

Loma Linda University

Loma Linda, CA 92350

SIGNATURE

B. Lyn Behrens

DATE

8/5/96